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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/780,497	02/12/2001	Yoshinori Nakatsugawa	202940US2	8100

22850 7590 10/01/2003

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[REDACTED] EXAMINER

TRINH, TAN H

[REDACTED] ART UNIT [REDACTED] PAPER NUMBER

2684

DATE MAILED: 10/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/780,497	NAKATSUGAWA, YOSHINORI	
Examiner	Art Unit		
TAN TRINH	2684		

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### **Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1) Responsive to communication(s) filed on 12 February 2001.

2a) This action is **FINAL**.                            2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Position of Claims**

4) Claim(s) 1 and 2 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) 2 is/are allowed.

6) Claim(s) 1 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.  
4)  Interview Summary (PTO-413) Paper No(s) \_\_\_\_.  
5)  Notice of Informal Patent Application (PTO-152)  
6)  Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claim 2 is allowed.

The following is a statement of reasons for the indication of allowable subject matter:

The references of Bryant (U.S. Patent no. (Re. 36,076), Corbefin (U.S. Patent No. 6,269,243) with cited reference and the prior art of record fails to teach or suggest, the plural repeaters are mounted for each seat row at a position allowing radio communication with a terminal installed in each seat row and radio communication is carried out by selecting a repeater securing an optimum communication state from the plural repeaters, as cited in claim 2.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bryant (U.S. Patent no. (Re. 36,076) or Corbefin (U.S. Patent No. 6,269,243).

Regarding claim 1, Applicant is noticed that the preamble that includes the limitation of LAN system is not given weight.

Bryant teaches the radio repeater operation in vehicle (34) compartment for communicating with a terminal (36) installed in vehicle compartment through a repeater (14) by radio (see fig. 2 and abstract lines 10-17 and col. 2, lines 8-23),

Corbefin teaches the radio transponder (4) in vehicle/Aircraft (A) compartment for communicating with a terminal (Rs) and SP in vehicle/aircraft compartment through a repeater (4) by radio (see fig. 1 and col. 3, lines 39- col. 4, lines 11).

Moreover, Bryant teaches the repeater is mounted on the overhead of the back seat row (see fig. 2) and Corbefin teaches the repeater is mounted on the overhead of the seat row (see fig. 1). But Bryant or Corbefin fails to teach the repeater is mounted in front of each seat row.

However, the position of repeater in front seat of each row is obvious to one of ordinary skill in the art because the operation of the communication would <sup>be</sup> ~~still~~ the same.

### *Conclusion*

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Gilhousen (U.S. Patent No. 5,559,865) discloses airborne radiotelephone communications system.

Horrer (U.S. Patent No. 6,321,084) discloses method for setting up a telecommunication link to persons in closed facilities, such as passenger transport means as well as a telecommunication system and network.

Itamochi (U.S. Patent No. 6,154,663) discloses portable telephone communications system.

Soh (U.S. Patent No. 6, 539028) discloses CSMA/CD wireless LAN.

**5. Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

**or faxed to:**

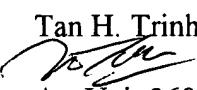
**(703) 872-9314, (for Technology Center 2600 only)**

*Hand-delivered responses should be brought to Crystal Park II,  
2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).*

**6. Any inquiry concerning this communication or earlier communications from the  
examiner should be directed to Tan Trinh whose telephone number is (703) 305-5622. The  
examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.**

If attempts to reach the examiner by telephone are unsuccessful, the examiner's  
supervisor, Nay Maung, can be reached at (703) 308-7745.

Any inquiry of a general nature or relating to the status of this application or proceeding  
should be directed to the **Technology Center 2600 Customer Service Office** whose telephone  
number is **(703) 306-0377**.

Tan H. Trinh  
  
Art Unit 2684  
September 20, 2003

